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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CONFIRMATION NO. 5450

Applicants : Seiji NISHIWAKI, et al.
Serial No. : 09/788,367 Art Unit : 2653
Filed : February 21, 2001 Examiner : Paul W. HUBER
For : Optical Disk Device, Optical Disk, Data Recording Method, and
Data Reproducing Method

RESPONSE TO SPECIES ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 08 2004

Technology Center 2600

Sir :

The Office Action of March 8, 2004 (Paper No. 3) required election between six different species of the claimed invention. According to Paper No. 3, these species are shown respectively in Figures 3, 8, 12, 14, 15 and 16.

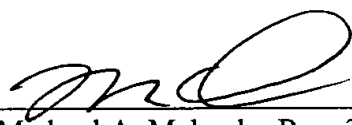
Applicants elect the specie of Figure 3. Claims 1-9 are submitted as corresponding to elected Figure 3.

By the Examiner's identification of the six different species, it is understood that the Examiner recognizes that each species differs from the others by way of different hologram and photodetector structures. The optical disk device of Figure 1 is exemplary of structure into which the hologram and photodetector configurations of Figures 3, 8, 12, 14, 15 and 16 can be incorporated. As such, Applicants anticipate that the Examiner

will consult each of Figures 1-7, in particular, in examining claims 1-9 that correspond to the elected specie of Figure 3.

Examination on the merits is awaited.

Respectfully submitted,
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